

COMMITTEE AMENDMENT FORM

DATE 06/27/01

COMMITTEE Finance/Executive

PAGE(S) 2

ORDINANCES I.D.#

SECTION(S) 3

RESOLUTION I.D.# 01-O-0978

PARAGRAPH(S)

AMENDMENT: Insert at the end of the sentence "shall be deposited into Fund,
Account and Center Number 2H21 491102 B00001. The sentence now reads:
That the exchange of property interests shall be made on a dollar-value for
dollar- value basis with payment to the City by the Church, in cash at closing,
the amount of any difference between the values of the two properties shall
be deposited into Fund, Account and Center Number 2H21 491102 B00001

**AN AMENDED ORDINANCE BY
FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE TO AUTHORIZE THE EXCHANGE OF TRACT 6 OF THE REAL PROPERTY OWNED BY THE CITY OF ATLANTA IN LAND LOTS 870 & 871 OF THE 19TH DISTRICT, 3RD SECTION, OF PAULDING COUNTY, GEORGIA, COMPRISING A NET OF 4.653 ACRES, FOR TAX PARCELS 7000-1-5 & 6, IN LAND LOT 938 OF THE 19TH DISTRICT, 3RD SECTION, OF PAULDING COUNTY, GEORGIA, COMPRISING APPROXIMATELY 3.609 ACRES, OWNED BY WHITE OAK SPRINGS BAPTIST CHURCH; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta owns certain real property in Paulding County, Georgia, comprising a total of approximately 10,038.755 acres of land, located primarily between Georgia Highway 120 (Buchanan Highway) on the south and U. S. Highway 278 (Georgia Highway 6) on the north, west of Dawsonville, Georgia, all generally as shown on the Survey Plat Book by Patterson & Dewar Engineers, Inc., page 1 of 40, dated 5-7-75, entitled "Paulding County Property," and attached hereto as Exhibit A and made a part hereof by reference; and

WHEREAS, approximately 4.653 acres, designated as Tract 6 on Exhibit A, is located south of Georgia Highway 120, is remote from the rest of the property and is not needed by the City; and

WHEREAS, White Oak Springs Baptist Church owns property contiguous with Tract 6 and desires to acquire same from the City through an exchange of property of approximately equal value and payment of cash for any difference in value; and

WHEREAS, it is appropriate and in the interest of the City of Atlanta to use the land comprising Tract 6 to acquire land contiguous with the majority of the property located north of Highway 120 that will be useful to the City in the future through an exchange of property interests with retention of avigation easements and air rights over Tract 6, in accord with the authorizations and provisions hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1. That the real property comprising Tract 6 of the Property of the City of Atlanta in Land Lots 870 & 871 of the 19th District, 3rd Section, of Paulding County, Georgia, as delineated and described in the Survey Plat by Patterson & Dewar Engineers, Inc., dated 5-7-75, as generally shown on Exhibit A hereof and described in the legal description and plat attached hereto as Exhibit B and made a part hereof by reference, is surplus real property that is not currently useful to or needed by the City of Atlanta.

Section 2. That the City's Purchasing Agent be and hereby is authorized and directed to exchange said Tract 6 for that certain real property owned by the White Oak Springs Baptist Church designated as Tax Parcels 7000-1-5 & 6 in Land Lot 938 of District 19, Section 3. of Paulding County, Georgia, being more particularly described in the legal description attached hereto as Exhibit C and made a part hereof by reference.

description attached hereto as Exhibit C and made a part hereof by reference.

Section 3. That the exchange of property interests shall be made on a dollar-value for dollar-value basis with payment to the City by the Church, in cash at closing, the amount of any difference between the values of the two properties shall be deposited into Fund, Account and Center Number 2H21 491102 B00001.

Section 4. That the Purchasing Agent, the City Attorney, and other City Officials as necessary and appropriate, be and hereby are authorized and directed to take all necessary actions on behalf of the City of Atlanta to effectuate the exchange of property interests authorized hereinabove between the City and White Oak Springs Baptist Church, including but not limited to the following: obtain title reports, appraisals, land surveys (if necessary), and to take other steps as appropriate, in accord with applicable City ordinances,.

Section 5. That the Mayor be and hereby is authorized to execute an appropriate deed on behalf of the City of Atlanta as necessary to accomplish the exchange of property interests authorized hereinabove.

Section 6. That the City Attorney be and hereby is directed to prepare said deed for execution by the Mayor, to be approved as to form by the City Attorney.

Section 7. That all ordinances or parts of ordinances in conflict herewith be and the same hereby are repealed.